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**Office of Intellectual Property Counsel
3M Innovative Properties Company**

**3M Center, PO Box 33427
St. Paul, MN 55133-3427 USA**

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GROUP 3700

FACSIMILE

Date: **January 29, 2003**
Number of pages
including cover sheet: **5**

To:

**Tech Center 3700
Group Art Unit 3761
Examiner Aaron J. Lewis**

Your Ref: **09/678580**
Phone:
Fax No. **703-872-9303**

From:

Karl G. Hanson

Our Ref: **48317US030**
Phone: **(651) 736-7776**
Fax No. **(651) 736-3833**

Remarks:

Attached are the following:

1. Communication; and
2. Terminal Disclaimer

USSN: 09/678580

Docket No.: 48317US030

In making the above disclaimer, Petitioner does not disclaim any terminal part of any Subject Patent that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154 to 156 and 173 of the Prior Application, as presently shortened by any terminal disclaimer, in the event such Prior Application later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Documents establishing the chain of title of the Subject Application and of the Prior Application (including the aforementioned assignments and recording locations) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC § 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Please charge the fee provided in 37 CFR § 1.20(d) and, if necessary, charge any additional fees or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

Respectfully submitted,

January 29, 2003

Date

By:

Karl G. Hanson, Reg. No.: 32,900
Telephone No.: 651-736-7776

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

Duplicate



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PATENT TRADEMARK OFFICE

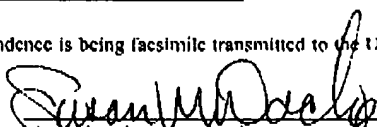
Patent
Case No.: 48317US030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: JAPUNTICH, DANIEL A.
Application No.: 09/678580 Group Art Unit: 3761
Filed: October 3, 2000 Examiner: Aaron J. Lewis
Title: FIBROUS FILTRATION FACE MASK HAVING A NEW
UNIDIRECTIONAL FLUID VALVE

COMMUNICATION

Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF TRANSMISSION	
To Fax No.: 703-872-9303	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:	
January 29, 2003	
Date	Signed by: Susan M. Jacko

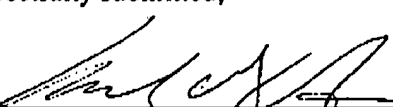
Dear Sir:

Enclosed is a copy of a Terminal Disclaimer, which terminally disclaims the term of this patent over copending application number 08/240,877. The filing of this document eliminates any issue with respect to double patenting.

To the extent necessary, applicants petition for an extension of time. Please charge the fee for such extension to Deposit Account No. 13-3723.

Respectfully submitted,

January 29, 2003
Date

By: 
Karl G. Hanson, Reg. No.: 32,900
Telephone No.: 651-736-7776

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833



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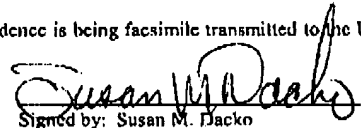
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TERMINAL DISCLAIMER UNDER 37 CFR § 1.321(b)

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Washington, DC 20231

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To Fax No.: 703-872-9303	
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January 29, 2003	
Date	Signed by: Susan M. Dacko

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, MN, represents that it is the exclusive owner of the entire interest in the above-identified application (referred to as the "Subject Application") by virtue of an assignment recorded at Reel 013089, Frame 0505, on September 17, 2002. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Application Serial No. 08/240,877, (referred to as the "Prior Application"), by virtue of the same assignment.

Petitioner disclaims the terminal part of any patent granted on the Subject Application (referred to as a "Subject Patent"), which terminal part would extend beyond the expiration date of the full statutory term, as defined in 35 USC §§ 154 to 156 and 173 and as presently shortened by any terminal disclaimer, of the Prior Application. Petitioner hereby agrees that the Subject Patent shall be enforceable only for and during such period that the legal title to such patent and the Prior Application are commonly owned. This agreement is to run with the Subject Patent and to be binding upon the grantee, its successors, or assigns.

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USSN: 09/678580

Docket No.: 48317US030

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I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC § 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

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By: 

Karl G. Hanson, Reg. No.: 32,900

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